

The opinion in support of the decision being
entered today is not binding precedent of the Board.

Paper **44**

Filed by: Merits Panel
Mail Stop Interference
P.O. Box 1450
Alexandria VA 22313-1450
Tel: 571-272-9797
Fax: 571-273-0042

Filed 2 March 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HILARION BRAUN
Junior Party
(Patent 5,598,196),

v.

STEPHEN TEMPLE and MARK R. SHEPHERD
Senior Party
(Application 08/536,345).

Patent Interference No. 105,282

Before: McKELVEY, Senior Administrative Patent Judge, LANE and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

Judgment - Bd.R. 127(b)

On 28 February 2005, the board received from Braun "BRAUN REQUEST FOR ENTRY OF ADVERSE JUDGMENT", in which Braun requests and agrees to entry of adverse judgment under Bd.R. 127(b) (Paper 18). Accordingly, it is

ORDERED that judgment on priority as to Count 1 (Paper 1 at 4) is awarded against junior party HILARION BRAUN.

FURTHER ORDERED that junior party HILARION BRAUN is not entitled to a patent containing claims 1-3, 6, 8-10 and 12 (corresponding to Count 1) of U.S. patent 5,598,196.

FURTHER ORDERED that a copy of this paper shall be made of record in files of application 08/536,345 and U.S. Patent 5,598,196.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and Bd.R. 205.

cc (via facsimile):
Attorney for Braun:

Michael L. Goldman
Clinton Square
Corner of Clinton Avenue and Broad Street
P.O. Box 31051
Rochester, New York 14603

Fax: 585-263-1600

Attorney for Temple:

James P. Zeller
Marshall Gerstein & Borun
6300 Sears Tower
233 South Wacker Drive
Chicago, IL. 60606-6357

Fax: 312-474-0448

INTERFERENCE DIGEST

Interference No. 105,282

Paper No. 43

Name: Stephen Temple et al.

Serial No.: 08/536,345

Patent No.

Title: Multi-channel array droplet deposition apparatus

Filed: 09/29/95

Interference with Braun

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, favorable Dated, 3/2/05

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.